

300 M Street, N.W.  
Washington, D.C. 20036-5869  
Tel. 202-467-7000  
Fax: 202-467-7176

Morgan, Lewis  
& Bockius LLP  
COUNSELORS AT LAW

## FAX MESSAGE

FAXED

## Send to:

(1) Name:

Carl Miller

FAX Number: (703) 308-7766

Firm:

U.S. PRO GROUP 3752

Telephone Number:

FAX RECEIVED

(2) Name:

FAX Number:

APR - 3 2001

Firm:

Telephone Number:

Group 3700

## From:

Name:

KHOT TA

Floor:

9 South

Telephone Number:

202 467 7203

Date Sent:

April 2, 2001

Number of Pages (INCLUDING COVER PAGE):

## Note:

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

## Comments:

Please note the attached Request and supporting documents.

SIGNATURE: \_\_\_\_\_

**Applicant subsequently inspected the U.S.P.T.O. ("PTO") file on March 28, 2001. The PTO's file did not reveal the presence of a detailed Final Office Action. See Attached Exhibit B.**

Attorney Docket No. 051252-5140

Accordingly, Applicant respectfully requests the issuance of a Final Office Action that clearly states the ground(s) and reason(s) for the Final Office Action as required under 37 C.F.R. § 1.113.

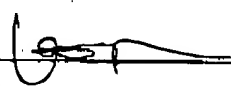
Since this request is being filed before the expiration of the period for response, Applicant requests, under MPEP 710.06, restarting of the period for response.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: April 2, 2001

  
Khoi Q. Ta  
Reg. No. 47,300

**MORGAN, LEWIS & BOCKIUS LLP**

1800 M Street, N.W.

Washington, D.C. 20036

Tel: (202) 467-7203

Fax: (202) 467-7176

Customer No. 009629

EXHIBIT  
ARECEIVED  
JAN 08 2001UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231DWL  
SJA  
BMP

INVENTOR(S)	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY SECRET NO.
-------------	-------------	-----------------------	---------------------

09/313.407 05/18/99 LORRAINE

99P7558US01

QM02/0103

MOGAN, LEWIS & BOOKIUS, LLP  
1800 M STREET, N.W.  
WASHINGTON DC 20036-5869

EXAMINER

ART. 161.1(c) PAPER NUMBER

DATE MAILED: 3767

01/03/01

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

## OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 10/4/00☒ This action is FINAL.☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1835 D.C. 11; 453 O.G. 213.A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

- ☒ Claim(s) 1-18 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-18 is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-848.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-848
- ☐ Notice of Informal Patent Application, PTO-152

57252-5740  
DOCKETED  
BY KJ DATE 1/8/01

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

EXHIBIT

B



## INTELLECTUAL PROPERTY SERVICES

2001 Jefferson Davis Hwy.

Suite 602

Arlington, Virginia 22202

(703) 415-4630

FAX (703) 415-4632

DATE	INVOICE NO.
3/29/2001	16042

## BILL TO

Morgan, Lewis & Bockius LLP  
Attn: Scott Anchell, Esq.  
1800 M Street, NW  
Washington, DC 20036

DESCRIPTION	AMOUNT
Your ref.: 051252-5140 Our ref.: 3-180	
Retrieving the file history of Serial No. 09/313,407 from Group 3700; inspecting its contents for an Office Action of 1/3/01; and providing a copy of Paper Nos. 3 and 6.	76.75
Delivery	2.00
*The Office Action of 1/3/01 appears to be incomplete. Nothing on the PTOL-326 indicates that there are attachments, however, the Examiner's signature/initials are missing. Consequently, we have included a copy of the Office Action of 6/30/00.	
Terms: Net 30.	
<b>Total</b>	<b>\$78.75</b>

900 M Street, N.W.  
Washington, D.C. 20036-5869  
Tel. 202-467-7000  
Fax: 202-467-7176

## FAX RECEIVED

APR - 3 2001

Group 3700

Morgan, Lewis  
& Bockius LLP  
C O U N S E L O R S   A T   L A W

## FAX MESSAGE

## Send to:

(1) Name: *Ex. Carl S. Miller*FAX Number: *703-308-7766*Firm: *U.S. PTO GAU 3747*Telephone Number: *308-2653*

(2) Name:

FAX Number:

Firm:

Telephone Number:

## From:

Name: *Choi Tq*Floor: *9S*Telephone Number: *202 467-7203*Date Sent: *4/2/01*Number of Pages (INCLUDING COVER PAGE): *5*

## Note:

THE INFORMATION CONTAINED IN THIS FAX MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE RECIPIENT(S) NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

## Comments:

- Second Retransmission including the correct Group  
Art Unit No. 3747.

8800000# P.00  
S. Ruttle  
6-25/01

# CERTIFICATE OF TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, FAX NO. (703) 308-7766 ON 02 April 2001.

NAME OF PERSON SIGNING CERTIFICATE: K. H. M.

**SIGNATURE:**

~~#10~~  
~~Guire~~  
~~Office~~  
~~Location~~  
Drop B  
#8

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**FAX RECEIVED**

APR - 3 2001

**Group 3700**

**In re Application of:**

**Jack LORRAINE**

Application No.: 09/313,407

Group Art Unit: 3747

**Filed: 18 May 1999**

**Examiner:** C. Miller

For: FUEL INJECTOR MOUNTING  
ARRANGEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

**REQUEST FOR AN OFFICE ACTION**  
**UNDER 37 C.F.R. §§1.104, 1.113**

This is a request to reissue the Final Office Action originally mailed 03 January 2001, and to restart the period for reply.

37 C.F.R. § 1.113(b), states, "In making such final rejection, the examiner shall repeat or state all grounds of rejection then considered applicable to the claims in the application, clearly stating the reasons in support thereof."

A Final Office Action was issued on January 3, 2001 consisting of only a one page pre-printed form PTO-326. The PTO-326 form did not include a signature or a detailed Office Action. See Attached Exhibit A.

Applicant subsequently inspected the U.S.P.T.O. ("PTO") file on March 28, 2001. The PTO's file did not reveal the presence of a detailed Final Office Action. See Attached Exhibit B.

Attorney Docket No. 051252-5140

Accordingly, Applicant respectfully requests the issuance of a Final Office Action that clearly states the ground(s) and reason(s) for the Final Office Action as required under 37 C.F.R. § 1.113.

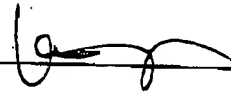
Since this request is being filed before the expiration of the period for response, Applicant requests, under MPEP 710.06, restarting of the period for response.

**EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: April 2, 2001

  
Khoi Q. Ta  
Reg. No. 47,300

**MORGAN, LEWIS & BOCKIUS LLP**  
1800 M Street, N.W.  
Washington, D.C. 20036  
Tel: (202) 467-7203  
Fax: (202) 467-7176  
Customer No. 009629



EXHIBIT  
A

**RECEIVED**  
**JAN 08 2001**



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DWL  
E SJA  
Bmp

10-28-97	LEWIS BOOKS LLP	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
----------	-----------------	-------------	-----------------------	---------------------

09/313.407 05/18/99 LORRAINE

99P7558J.S01

QM02/0103

MOGAN, LEWIS & BOCKIUS, LLP  
1800 M STREET, N.W.  
WASHINGTON DC 20036-5869

**DANGER**

ARTICLE 23 - PAPER NUMBER

DATE MAILED: 3747

01/03/01

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

### OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 10/4/00
- ☒ This action is FINAL.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

### Disposition of Claims

- ☒ Claim(s) 1-18 is/are pending in the application.  
Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
☐ Claim(s) \_\_\_\_\_ is/are allowed.  
☒ Claim(s) 1-18 is/are rejected.  
☐ Claim(s) \_\_\_\_\_ is/are objected to.  
☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \*Certified copies are required for all priority documents.

\*Certified copies not received:

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

**Attachment(s)**

- ☐ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-868
- ☐ Notice of Informal Patent Application, PTO-152

57252-5740  
DOCKETED  
JG - 1/8/01

**- SEE OFFICE ACTION ON THE FOLLOWING PAGES -**

EXHIBIT

B



## INTELLECTUAL PROPERTY SERVICES

2001 Jefferson Davis Hwy.

Suite 602

Arlington, Virginia 22202

(703) 415-4630

FAX (703) 415-4632

DATE	INVOICE NO.
3/29/2001	16042

## BILL TO

Morgan, Lewis & Bockius LLP  
Attn: Scott Anchell, Esq.  
1800 M Street, NW  
Washington, DC 20036

DESCRIPTION	AMOUNT
Your ref.: 051252-5140 Our ref.: 3-180	
Retrieving the file history of Serial No. 09/313,407 from Group 3700; inspecting its contents for an Office Action of 1/3/01; and providing a copy of Paper Nos. 3 and 6.	76.75
Delivery	2.00
*The Office Action of 1/3/01 appears to be incomplete. Nothing on the PTOL-326 indicates that there are attachments, however, the Examiner's signature/initials are missing. Consequently, we have included a copy of the Office Action of 6/30/00.	
Terms: Net 30.	<b>Total</b> \$78.75